

GOLDEN STATE REPORTING & VIDEO  
3800 Watt Avenue, Suite 201  
Sacramento, California 95821  
(916) 489-5900

January 2, 2013

Ann Link, Ph.D.  
5801 North Avenue  
Carmichael, California 95608

Re: Clyde Ray Spencer, et al., vs. Former Deputy  
Prosecuting Attorney for Clark County James M. Peters,  
et al.

Date of Deposition: December 17, 2012

The transcript of your deposition taken in the  
above-entitled matter has now been completed. The  
original transcript will be held in this office for 35  
days from the date of this letter before it is sealed and  
forwarded to the deposing attorney. You have the right  
to review, sign, and make corrections to your transcript  
within the 35-day period by coming to our office. Please  
call the above number to make an appointment for your  
review. It is standard policy not to release the  
original transcript, and complimentary copies are not  
provided.

If you are represented by an attorney, I advise that you  
contact your attorney to discuss the matter. You may  
read your attorney's copy of the transcript and forward  
any changes to our office by letter or by filling out the  
correction page included in the transcript. If you are  
an independent witness and have any questions, please  
contact the attorney who requested you to testify or this  
office for further instructions.

There is no need to contact this office if you do not  
wish to read your transcript.

Very truly yours,

GOLDEN STATE REPORTING & VIDEO

cc: All Counsel

Defendant's object  
to Ex. 1 to Ms. Link's  
deposition as hearsay,  
and cumulative  
to her  
deposition  
testimony.  
Plaintiff  
has  
stated  
he does  
not  
intend  
to offer  
the remaining  
Exhibits to  
Ms. Link's  
deposition and  
Defendants will not  
be offering them  
either

12/13/2012 16:13 9164895624

C.C. COUNSELING

PAGE 01

Honorable Judge Benjamin Settle

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

CLYDE RAY SPENCER, MATTHEW RAY  
SPENCER, and KATHERYN E. TETZ,

Plaintiffs,

v.

FORMER DEPUTY PROSECUTING  
ATTORNEY FOR CLARK COUNTY JAMES  
M. PETERS, DETECTIVE SHARON KRAUSE,  
SERGEANT MICHAEL DAVIDSON, CLARK  
COUNTY PROSECUTOR'S OFFICE, CLARK  
COUNTY SHERIFF'S OFFICE, THE COUNTY  
OF CLARK and JOHN DOES ONE THROUGH  
TEN,

Defendants.

No. C11-5424BHS

DECLARATION OF ANN LINK,  
Ph.D.

Pursuant to 28 U.S.C. § 1746, Ann Link, Ph.D., declares under penalty of perjury under  
the laws of the State of California and the United States of America that the following is true  
and accurate:

1. My name is Ann Link, Ph.D. I am a licensed clinical psychologist practicing in the  
state of California. My business address is 5801 North Avenue, Carmichael, California.

2. I have personal and direct knowledge of the facts set forth in this declaration, and I  
will testify to them if called upon to do so.

DECLARATION OF ANN LINK, Ph.D.  
(C11-5424BHS) — 1



Kathleen T. Zalkow & Associates, P.C.  
LAW OFFICES  
1911 1st Avenue, Suite 200  
Tacoma, WA 98402  
253.833.8888

12/13/2012 10:13 9154095624

C.G. COUNSELING

PAGE 82

1 3. In 1984 and 1985, I was a psychology intern and Ph.D. candidate. Starting in  
2 approximately September of 1984, I began treating Kathryn Spencer.

3 4. My custom and practice is to keep patient records until 7 years after a patient reaches  
4 18 years of age. As a result, I no longer have any records regarding my care and treatment of  
5 Kathryn Spencer. I do, however, have an independent recollection of my sessions with  
6 Kathryn as described in this declaration.

7 5. Prior to my first session with Kathryn I met with Kathryn's mother to obtain  
8 background information regarding Kathryn.

9 6. After meeting with Kathryn's mother I met privately with Kathryn on multiple  
10 occasions. During my sessions with Kathryn she manifested a high level of anxiety. For  
11 example, I recall Kathryn balling up on the floor. I utilized play therapy, a form of  
12 psychotherapy, to reduce anxiety, encourage communication and promote healthy coping.  
13

14 7. I specifically recall that at no point during my sessions with Kathryn did she describe  
15 being molested by anyone.

16 8. During play therapy sessions with Kathryn, I used play therapy supplies including  
17 toys, doll house dolls and art materials. Kathryn did not demonstrate any abuse to me using  
18 play therapy supplies.

19 9. I have a vague recollection of being contacted by a member of law enforcement from  
20 Washington, either a police officer or prosecutor, to discuss my treatment of Kathryn. At that  
21 time I told whoever I spoke with that Kathryn had not described any of the alleged abuse to me.  
22

23 10. I never would have told any person, including law enforcement, that Kathryn had  
24 described any abuse to me because she had not done so.

25 11. I never had any further contact with law enforcement about being a witness to any  
26 alleged abuse.  
27

DECLARATION OF ANN LINK, Ph.D.  
(CII-5424BHS) — 2

Kathleen T. Zellmer & Associates, P.C.  
LAW OFFICES  
1001 Midway Road  
Suite 210  
Columbia, SC 29204  
704.344.1111

12/19/2012 10:18 9164895624

C.O. COUNSELING

PAGE 03

1 12. I have had the opportunity to review and make changes to this affidavit, and it is  
2 accurate to the best of my memory and recollection.

3 SIGNED this 13 day of December, 2012 in Carmichael, California.

4 Respectfully submitted,

5  
6 Ann Link Ph.D.  
7 Ann Link, Ph.D.

8 Subscribed and Sworn to Before me  
9 this    day of December, 2012

10  
11 Notary Public

12 SEE ATTACHED FOR  
13 REQUIRED CALIFORNIA  
14 WORDING

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DECLARATION OF ANN LINK, Ph.D.  
(C11-5424BHS) — 3

Notary Public, License # 100000000, C.C.  
Law Offices  
1901 Bush/Highway  
Suite 100  
San Jose, CA 95128

12/13/2012 10:13 9164895624

C.C. COUNSELING

PAGE 04

## CALIFORNIA JURAT WITH AFFIANT STATEMENT

GOVERNMENT CODE § 6204

- ☐ See Attached Document (Notary to cross out lines 1-6 below)  
☒ See Statement Below (Lines 1-6 to be completed only by document signer[s], not Notary)

① Ann Link

E. \_\_\_\_\_

S. \_\_\_\_\_

A. \_\_\_\_\_

S. \_\_\_\_\_

② Ann Link

Signature of Document Signer (No. 1)

N/A

Signature of Corroborating Signer No. 2 (If any)

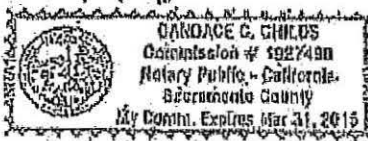
State of California

County of Sacramento

Subscribed and sworn to (or affirmed) before me

on this 13 day of Dec, 2012  
by \_\_\_\_\_(1) Ann Link  
Name of Signerproved to me on the basis of satisfactory evidence  
to be the person who appeared before me (1) (2)

(and

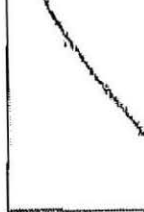
(2) \_\_\_\_\_  
Name of Signerproved to me on the basis of satisfactory evidence  
to be the person who appeared before me.)Signature [Signature]  
Signature of Notary Public

Place Notary Seal Here

## OPTIONAL

Though the information below is not required by law, it may prove valuable  
to persons relying on the document and could prevent fraudulent removal  
and reattachment of this form to another document.

Further Description of Any Attached Document

Title or Type of Document: DeclarationDocument Dated: Dec 13, 2012 Number of Pages: 5/10/12Signer(s) Other Names Printed Above: N/ARIGHT THUMBPRINT  
TOP OF THUMB HERERIGHT THUMBPRINT  
TOP OF THUMB HERE

12/05/2012 08:29 9154895524

C.O. COUNSELING

PAGE 01

ANN LINK PH.D.  
5801 NORTH AVE  
CARMICHAEL, CA 95608  
916-489-6082

November 30, 2012

Kathleen Zellner  
1901 Butterfield Road, Suite 650  
Downers Grove, Illinois 60515  
Fax: 206-757-7700

Dear Ms. Zellner:

I am not allowed and cannot disclose whether or not Kathryn Spencer noted in the subpoena served to me November 29, 2012 is known to me or has been under my care. If the person has been my client, I could not provide any information without a signed release or a valid court order.

Sincerely,

*Ann L. Link*

Ann L. Link, Ph.D.



Spencer005050

Authorization For Release of Information

Patient Name: Kathryn Spencer (married name Kathryn Tutz)  
 SS Number: 346-89-8437  
 Date of Birth: 1/13/79  
 Address: 881 O Street, Lincoln, CA 95648

By signing this authorization form I authorize Ann Little, Ph.D., to disclose my health information, including any and all mental health information as described below, to Kathleen T. Zellmer, (90) Dufferin Road, Suite 650, Deerfield Grove, Illinois,

By signing this authorization form I authorize Ann Little, Ph.D., to discuss over the telephone my health information, including any and all mental health information as described below, with Kathleen T. Zellmer, at (630) 955-1212,

I have signed this form voluntarily in order to document my wishes regarding the use and/or disclosure of the health information described below.

Description of Health Information I Authorize to be Used or Disclosed:

The following is a specific description of the health information I authorize to be disclosed: my entire chart, including but not limited to patient treatment, history, any and all psychiatric records, psychological records, diagnoses, notes, therapy notes, counseling notes, medication records, dates of treatment, and the like.

Description of Purpose for the Requested Use and/or Disclosure:

I authorize health information to be disclosed for the purpose of its utilization in the pending lawsuit of Spencer v. Paterly et al., Case No. C11-5424B/S, pending in the U.S. District Court for the Western District of Washington at Tacoma.

Rights With Respect to This Authorization:

Right to Revoke: I understand I have the right to revoke this authorization at any time. I also understand that my revocation of this authorization must be in writing. To obtain a copy of my authorization revocation form I may contact Kathleen T. Zellmer & Associates. I am aware that my revocation will not be effective as to disclosures of my health information that the disclosing party and the receiving party have already made upon reliance of this authorization.

Right to Receive Copy of This Authorization: I understand that if I agree to sign this authorization, which I am not required to do, I must be provided with a signed copy of it.

Expiration: This authorization will expire 90 days after signing below unless revoked prior to the expiration date.

I, Kathryn Spencer (married name Kathryn Tutz), have had the opportunity to review and understand the contents of this form. By signing this form, I am certifying that it accurately reflects my wishes.

Kathryn Spencer Tutz  
 Kathryn Spencer Tutz

12-10-2012  
 Date

State of California County of Placer

Subscribed and Sworn to Before Me  
 this 10 day of December, 2012

Marshila R. Patel  
 Notary Public



Gmail - Attn: Dr. Link (Declaration regarding Kathryn Spencer)

<https://mail.google.com/mail/u/0/?ui=2&ik=a0e2ca25a2&view=pt&q=...>



Kathleen Zellner <kzemployees@gmail.com>

Attn: Dr. Link (Declaration regarding Kathryn Spencer)

1 message

Kathleen Zellner <kzemployees@gmail.com>  
To: capoltycounseling@gmail.com

Tue, Dec 11, 2012 at 3:28 PM

Dr. Link,

I have attached a declaration based on the information you provided today to Mrs. Zellner. The draft is being sent in Word format, so that you can make any alterations or deletions as necessary.

Please make any changes you deem appropriate and sign the declaration before a notary. If you would be so kind, please fax a copy of the declaration to us at 630-955-1111, and mail the original to us at:

Kathleen T. Zellner & Associates, P.C.  
1901 Butterfield Road, Suite 650  
Downers Grove, Illinois 60515

Due to court deadlines time is of the essence, so we would ask that you send the signed declaration back to us as soon as possible. We would sincerely appreciate it if you could send it back to us if at all possible by tomorrow.

Sincerely,

Nicholas Curran

Kathleen T. Zellner & Associates, P.C.  
Esplanade IV  
1901 Butterfield Road, Suite 650  
Downers Grove, Illinois 60515  
Office: (630) 955-1212  
Fax: (630) 955-1111

website: [kathleenzellner.com](http://kathleenzellner.com)




Confidentiality Notice: This communication is confidential and may contain privileged information. If you have received it in error, please notify the sender by reply email and immediately delete it and any attachments.

Gmail • Ann Dr. Link (Declaration regarding Kathryn Spence)

<https://mail.google.com/mail/u/0/?ui=2&ik=a1c2ca25c2&view=pt&q=...>

without copying or further transmitting the same.

 Declaration of Ann Link (draft).docx  
39K

Honorable Judge Benjamin Settle

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

CLYDE RAY SPENCER, MATTHEW RAY  
SPENCER, and KATHRYN E. TETZ,

Plaintiffs,

v.

FORMER DEPUTY PROSECUTING  
ATTORNEY FOR CLARK COUNTY JAMES  
M. PETERS, DETECTIVE SHARON KRAUSE,  
SERGEANT MICHAEL DAVIDSON, CLARK  
COUNTY PROSECUTOR'S OFFICE, CLARK  
COUNTY SHERIFF'S OFFICE, THE COUNTY  
OF CLARK and JOHN DOES ONE THROUGH  
TEN,

Defendants.

No. C11-5424BHS

DECLARATION OF ANN LINK,  
Ph.D.

Pursuant to 28 U.S.C. § 1746, Ann Link, Ph.D., declares under penalty of perjury under  
the laws of the State of California and the United States of America that the following is true  
and accurate:

1. My name is Ann Link, Ph.D. I am a licensed clinical psychologist practicing in the  
state of California. My business address is 5801 North Avenue, Carmichael, California.

2. I have personal and direct knowledge of the facts set forth in this declaration, and I  
will testify to them if called upon to do so.

DECLARATION OF ANN LINK, Ph.D.  
(C11-5424BHS) --- 1

Kathleen T. Zellner & Associates, P.C.  
Law Offices  
1501 Bayfield Road  
Suite 200  
Dunsmuir, CA 95935  
630.933.1233 FAX 630.933.1234

1 3. In 1984 and 1985, I was a psychology intern and Ph.D. candidate. Starting in  
2 approximately September of 1984, I began treating Kathryn Spencer.

3 4. My custom and practice is to keep patient records until 7 years after a patient reaches  
4 18 years of age. As a result, I no longer have any records regarding my care and treatment of  
5 Kathryn Spencer. I do, however, have an independent recollection of my sessions with  
6 Kathryn as described in this declaration.

7 5. Prior to my first session with Kathryn I met with Kathryn's mother to obtain  
8 background information regarding Kathryn.

9 6. After meeting with Kathryn's mother I met privately with Kathryn on multiple  
10 occasions. During my sessions with Kathryn she manifested a high level of anxiety. For  
11 example, I recall Kathryn balled up on the floor. I utilized play therapy, a form of  
12 psychotherapy, in an attempt to communicate with Kathryn and assess her underlying  
13 psychological state.

14 7. I specifically recall that at no point during my sessions with Kathryn did she describe  
15 being molested by anyone.

16 8. During that time period I never used dolls to elicit information from a child  
17 regarding possible abuse, because in my view such dolls are suggestive. I did not use any dolls  
18 during my sessions with Kathryn, and Kathryn never demonstrated any abuse to me using dolls.

19 9. I have a vague recollection of being contacted by a member of law enforcement from  
20 Washington, either a police officer or prosecutor, to discuss my treatment of Kathryn. At that  
21 time I told whoever I spoke with that Kathryn had not described any of the alleged abuse to me.

22 10. I never would have told any person, including law enforcement, that Kathryn had  
23 described any abuse to me because she had not done so.  
24  
25  
26  
27

DECLARATION OF ANN LINK, Ph.D.  
(C11-5424BHS) — 2

Kathleen V. Zellmer & Associates, P.C.  
LAW OFFICES  
1001 Douglas Road  
Spokane  
Spokane Valley, WA 99216  
509.313.1225 FAX 509.313.1226

1 11. I never had any further contact with law enforcement about being a witness to any  
2 alleged abuse. At the time I assumed I was not contacted because Kathryn had not related to  
3 me that she had been sexually abused.

4 12. I have had the opportunity to review and make changes to this affidavit, and it is  
5 accurate to the best of my memory and recollection.

6 SIGNED this \_\_\_ day of December, 2012 in Carmichael, California.

7 Respectfully submitted,  
8  
9

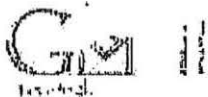
10 \_\_\_\_\_  
11 Ann Link, Ph.D.

12 Subscribed and Sworn to Before me  
13 this \_\_\_ day of December, 2012

14 \_\_\_\_\_  
15 Notary Public  
16  
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Gmail - Revised Declaration

<https://mail.google.com/mail/u/0/?ui=2&ik=a0c2ca25a2&view=pt&q=...>



Kathleen Zellner <kzemployees@gmail.com>

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## Revised Declaration

---

Kathleen Zellner <kzemployees@gmail.com>

Wed, Dec 12, 2012 at 3:50 PM

To: capollycounseling@gmail.com

Dr. Link,

Please find Kathryn's authorization and your revised declaration attached.


Kathleen T. Zellner & Associates, P.C.  
Esplanade IV  
1901 Butterfield Road, Suite 650  
Downers Grove, Illinois 60518  
Office: (630) 966-1212  
Fax: (630) 966-1111


website: [kathleenzellner.com](http://kathleenzellner.com)

Confidentiality Notice: This communication is confidential and may contain privileged information. If you have received it in error, please notify the sender by reply email and immediately delete it and any attachments without copying or further transmitting the same.

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### 2 attachments

 Declaration of Ann Link (draft).docx  
34K

 Authorization for Deposition.pdf  
126K



Authorization For Release of Information

Patient Name: Kathryn Spencer (married name Kathryn Tatz)  
 SSN Number: 546-89-5437  
 Date of Birth: 1/13/79  
 Address: 601 G Street, Lincoln, CA 95660

By signing this authorization form I authorize Ann Link, Ph.D., to testify in a deposition for the pending lawsuit of *Spencer v. Petrus et al.*, Case No. C11-01143HS, and at that time describe my and all mental health care provided to me during the years of 1994 and 1995.

It is my understanding that Ann Link, Ph.D., does not have any documents in her possession regarding my mental health.

I have signed this form voluntarily in order to document my wishes regarding the use and/or disclosure of my mental health information.

Declaration of Purpose for the Requested Use and/or Disclosure

I authorize my mental health information to be disclosed for the purpose of its utilization in the pending lawsuit of *Spencer v. Petrus et al.*, Case No. C11-01143HS, pending in the U.S. District Court for the Western District of Washington in Tacoma.

Terms With Respect to This Authorization

Right to Revoke: I understand I have the right to revoke this authorization at any time. I also understand that my revocation of this authorization must be in writing. To obtain a copy of an authorization revocation form I may contact Kathleen T. Zoller & Associates. I am aware that my revocation will not be effective as to disclosure of my health information that the disclosing party and the receiving party have already made upon reliance of this authorization.

Right to Receive Copy of this Authorization: I understand that if I agree to sign this authorization, which I am not required to do, I must be provided with a signed copy of it.

Expiration: This authorization will expire 90 days after signing below unless revoked prior to the expiration date.

I, Kathryn Spencer, (married name Kathryn Tatz), have had the opportunity to review and understand the contents of this form. By signing this form, I am confirming that it accurately reflects my wishes.

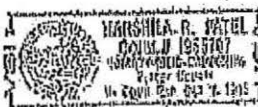
Kathryn Spencer Tatz  
 Kathryn Spencer Tatz

12-12-2012  
 Date

Link of evidence in a. custody of Plaintiff

Subscribed and sworn to before me  
 this 12 day of December, 2012

Harshila R. Patel  
 Notary Public



Honorable Judge Benjamin Settle

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

CLYDE RAY SPENCER, MATTHEW RAY  
SPENCER, and KATHERYN E. TETZ,

Plaintiffs,

v.

FORMER DEPUTY PROSECUTING  
ATTORNEY FOR CLARK COUNTY JAMES  
M. PETERS, DETECTIVE SHARON KRAUSE,  
SERGEANT MICHAEL DAVIDSON, CLARK  
COUNTY PROSECUTOR'S OFFICE, CLARK  
COUNTY SHERIFF'S OFFICE, THE COUNTY  
OF CLARK and JOHN DOES ONE THROUGH  
TEN,

Defendants.

No. C11-5424BHS

DECLARATION OF ANN LINK,  
Ph.D.

Pursuant to 28 U.S.C. § 1746, Ann Link, Ph.D., declares under penalty of perjury under  
the laws of the State of California and the United States of America that the following is true  
and accurate:

1. My name is Ann Link, Ph.D. I am a licensed clinical psychologist practicing in the  
state of California. My business address is 5801 North Avenue, Carmichael, California.

2. I have personal and direct knowledge of the facts set forth in this declaration, and I  
will testify to them if called upon to do so.

DECLARATION OF ANN LINK, Ph.D.  
(C11-5424BHS)—1

Kathleen T. Zollner & Associates, P.C.  
Fax: 909/609  
1201 Highland Blvd.  
Suite 650, Brea, CA 92603  
909/656-1212 or 909/656-1111  
www.ktzollner.com

1 3. In 1984 and 1985, I was a psychology intern and Ph.D. candidate. Starting in  
2 approximately September of 1984, I began treating Kathryn Spencer.

3 4. My custom and practice is to keep patient records until 7 years after a patient reaches  
4 18 years of age. As a result, I no longer have any records regarding my care and treatment of  
5 Kathryn Spencer. I do, however, have an independent recollection of my sessions with  
6 Kathryn as described in this declaration.

7 5. Prior to my first session with Kathryn I met with Kathryn's mother to obtain  
8 background information regarding Kathryn.

9 6. After meeting with Kathryn's mother I met privately with Kathryn on multiple  
10 occasions. During my sessions with Kathryn she manifested a high level of anxiety. For  
11 example, I recall Kathryn balled up on the floor. I utilized play therapy, a form of  
12 psychotherapy, to reduce anxiety, encourage communication, and promote healthy coping.

13 7. I specifically recall that at no point during my sessions with Kathryn did she describe  
14 being molested by anyone.

15 8. During play sessions with Kathryn Spencer, I used play therapy, including toys, doll  
16 house dolls, and art materials. Kathryn Spencer did not demonstrate abuse to me using play  
17 therapy supplies. Because Kathryn Spencer did not disclose abuse to me, I did not use  
18 anatomical dolls.

19 9. I never confirmed abuse of Kathryn Spencer with law enforcement and/or any  
20 prosecutor.

21 10. I have had the opportunity to review and make changes to this affidavit, and it is  
22 accurate to the best of my memory and recollection.  
23  
24  
25  
26  
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DECLARATION OF ANN LINK, Ph.D.  
(C11-5424BHS) — 2

Kathleen T. Zellmer & Associates, P.C.  
Law Offices  
1501 North La Grange Road  
Suite 300, North La Grange, Illinois 60164  
630.255.1212 (toll free) • 630.255.0111 fax  
KZellmer@KZellmer.com

1 SIGNED this \_\_\_ day of December, 2012 in Carmichael, California.

2 Respectfully submitted,

3  
4  
5 Ann Link, Ph.D.

6 Subscribed and Sworn to Before me  
7 this \_\_\_ day of December, 2012

8  
9 Notary Public

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DECLARATION OF ANN LINK, Ph.D.  
(C11-5424BHS) — 3

Kathleen T. Ziegler & Associates, P.C.  
1440 Riverchase Blvd.  
Birmingham, AL 35244  
205.955.1212 • 678.955.1111 fax  
www.ktziegler.com

## Documents

1 អាននិងដឹង

Wed, Dec 12, 2012 at 3:54 PM

Dr. Link,

Per your request, please find the attached documents.

Kathleen T. Zellner & Associates, P.C.  
Esplanade IV  
1901 Butterfield Road, Suite 660  
Downers Grove, Illinois 60615  
Office: (630) 955-1212  
Fax: (630) 955-1111

Website: [kathleenzellner.com](http://kathleenzellner.com)

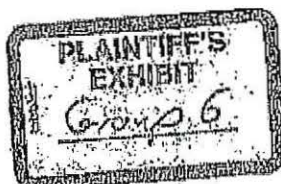
Confidentiality Notice: This communication is confidential and may contain privileged information. If you have received it in error, please notify the sender by reply email and immediately delete it and any attachments without copying or further transmitting the same.

3 attachments

5 Peters Dep Excerpt 1.pdf  
339K

27 Peters Dep Excerpt 2.pdf  
167K

Notes.pdf  
390K



JOHNSON (James M. Peters, 11/8/12)

97

1 Q Did you have any understanding that Shirley Spencer had  
2 made statements that she did not believe Ray had done  
3 anything to Katie?

4 A I know she was standing by her husband. I remember that.

5 Q Okay. Did you know that Katie had stated that she did not  
6 want to talk to boys about the abuse?

7 A To whom and when? I don't remember that.

8 Q Okay. You can take a look at Exhibit 3, if you'd like.  
9 This is Rebecca Roe's report on page 1.

10 A (Witness complying).

11 Q Seven lines up from the bottom.

12 A (Witness perusing document) I see where that's written  
13 there. It says, "Sharon Kause had to spend several hours  
14 one-on-one with victim who also indicated she would not  
15 talk about it, quote, with boys, end quote."

16 Q All right. And staying on that page since you have it in  
17 front of you, did you also know that Katie did not talk to  
18 a female counselor about it?

19 A Actually, that's in -- I see that is written in Rebecca  
20 Roe's report, but that's not accurate.

21 Q Well, Rebecca Roe reported that Katie would not talk to a  
22 female counselor about it, correct?

23 A I see what's written in Rebecca Roe's report, but as I told  
24 you, that's inaccurate. I talked to the female counselor  
25 myself who told me that she had been speaking with Katie

JOHNSON (James M. Peters, 11/8/12)

96

1 since September and that on November 1st, 1984, Katie had  
2 described this abuse to her using anatomical dolls.

3 Q That was Ann Link, right?

4 A Yes.

5 Q November 1st was the first time you say -- you say -- Katie  
6 Spencer reported it, correct?

7 A I didn't say that.

8 Q To Ann Link?

9 A Oh, all I know is what Ann Link told me, I don't know  
10 about anything else.

11 Q Okay. And that first revelation that you're talking about  
12 came to Ann Link as Ann Link told you on November 1st of  
13 '84, correct?

14 A Just to be clear, there had been prior revelations to  
15 Shirley Spencer and to Sharon Krause. The first  
16 revelation --

17 Q I'm just talking about Ann Link.

18 A As far as I know, when Mr. Rullis and I talked to Ann Link  
19 in Sacramento, she told us that Katie had disclosed to her  
20 sexual abuse by Ray, described it with anatomical dolls,  
21 including fellatio, my word, not hers, oral sex with a man,  
22 on November 1st.

23 Q That was after Sharon Krause had spent a substantial period  
24 of time with Sharon Krause -- I mean with Katie Spencer,  
25 correct?

JOHNSON (James M. Peters, 11/8/12)

125

- 1 A I was. I'm sorry.
- 2 Q Okay. Aside from that report, are there other documents
- 3 that support your assertion that Katie was excessively
- 4 masturbating, her underwear was worn out, and she had
- 5 precocious sexual knowledge?
- 6 A Yes.
- 7 Q And would those also be Sharon Krause reports --
- 8 A No.
- 9 Q -- authored by her?
- 10 A No.
- 11 Q What would those be?
- 12 A The information now, your question was compound, had
- 13 multiple subjects in it, but the behavioral indicators
- 14 portion of it was relayed to me by Ann Link, and it's in
- 15 the notes of Rull and my interview with Ann Link.
- 16 Q All right. Other than Ann Link and the report you've read,
- 17 are there other documents that reflect the excessive
- 18 masturbation, worn-out underwear, and precocious sexual
- 19 knowledge?
- 20 A The initial reports documented by Shirley Spencer clearly
- 21 show this child had been precociously sexualized including
- 22 by a male, whom she identified as her father.
- 23 Q All right. Other than that, any more?
- 24 A Off the top of my head, I can't recall.
- 25 Q You also stated that -- or did you state that you gave

Cornelia Nickel, Ph.D. candidate Matt

Reg. Josephine assistant  
Nurse husband

Ann Linton, Ph.D. candidate Katy

Reg. Josephine assistant

Reg. nurse

His wife

Nurse husband

Course

Started seeing Matt Sept 26, 1989

Starts there weekly - 1 hour

Original symptoms

1) feeling out

2) authority problems

3) family problems

4) sexual difficulties

5) sleeping difficulties

6) difficulty sleeping alone

7) difficulty listening to others

No eating disorders

History - other

Attention in school

Some have improved - some have not

Left experience

History research

See: app. to kids who have reported abuse

Noted some changes for the better after

Less anxious

Stopped repeating night fears

Less frequent acting out

Spencer-00808

Spencer-008971

He has not directly requested what he wants

He has not even told her

Anna

Begin, Sept 12 Sept 12

### ① Extreme request behavior

a) mother said her to be in a hospital

b) she was doing

c) mother to do her mother

d) mother said she had to be there before

e) when subject brought up the other

f) display of rejection behavior

g) visit

h) body part

i) accident

On Nov. 1 she lamented w/ her father about

a) Father's death - he was in a wheelchair in Boston

b) she was able to hug him there

c) suggested that she should go to a girl or wife

d) kiss her

e) Car accident

f) Father's

g) Angel's death

h) Sister's death

i) said she had to be there

### ② Sleep Problem - unable to sleep alone

had to sleep in room with mother

nightmares

unable to go to sleep left room got home

if mom went out

Spencer-00809

Spencer-005972

(3) Wilson also comm. back from when she described  
 "interesting people" to things that earlier had  
 not bothered her  
 Indicates post-traumatic anxiety  
 Reported by Nelson

(4) Difficulty Commission  
 Reported by Nelson

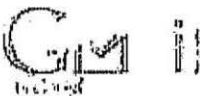
Observed by Ann Little who subject of her visit  
 Nelson reported that was very uncharacteristic of Kelly

Regretfully have gotten less than Henry

Last time saw her was March 13, 1971, at the  
 Grand Canyon

Gmail - Spencer v. Peters et al.

<https://mail.google.com/mail/w0/?ui=2&ik=a0c2ca25c2&view=pt&so...>



Kathleen Zellner <kzemployees@gmail.com>

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Spencer v. Peters et al.

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Kathleen Zellner <kzemployees@gmail.com>  
To: capcitycounseling@gmail.com

Thu, Dec 13, 2012 at 1:58 PM

Dr. Link,

Attached is a copy of the Rebecca Roe report from November of 1984.


Nick

\*\*\*  
Kathleen T. Zellner & Associates, P.C.  
Esplanade IV  
1801 Butterfield Road, Suite 650  
Downers Grove, Illinois 60515  
Office: (630) 956-1212  
Fax: (630) 956-1111

website: kathleentzellner.com

Confidentiality Notice: This communication is confidential and may contain privileged information. If you have received it in error, please notify the sender by reply email and immediately delete it and any attachments without copying or further transmitting the same.

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 Rebecca Roe Report (11-27-84).pdf  
1314K



Spencer005087

Date: 11/27/84

Suspect: Chyde Ray Spencer Referred Crime: SR 1°  
 Officer: Sharon Krause Agency: Clark CO. Sheriff's Off. Case No: 84-8506

We are declining to file this case in Superior Court for the following reason:

- ☐ A. Case is being returned for filing in municipal or district court.  
☐ B. Case is being declined for non-evidentiary reasons.  
☒ C. Case is being returned because it is legally insufficient.

## Reasons:

Five year old victim alleges her natural father sexually assaults her when she visits and her step-mom Shirley in Vancouver, B.C. initial disclosure to Shirley and victim names. Both as having abused her in addition to herself.

Child appears from police reports to be extremely reluctant to talk about facts. Sharon Krause had to spend several hours one on one with victim, who also indicated she would not talk about it "with Boya". She also did not talk to a female counselor. This clearly does not bode well for testifying in court.

2) Initial naming of multiple

Sim Interview? ☐ yes ☐ no

Notified on \_\_\_\_\_

Proposed by: \_\_\_\_\_

Date: \_\_\_\_\_

Approved by: R. J. Roe

Date: 11/27/84

King County Prosecuting Attorney's Office

DECLINE

(Original to file; copy to detective; Chief, Criminal Division)

00000227

Spencer/0111

Spencer005988

Date: 11-27-84

Suspect: Clyde Ray Spencer Referred Crime: Rape (Stat)  
 Officer: \_\_\_\_\_ Agency: \_\_\_\_\_ Case No: 84-8506

Suspect:

mtb  
 We are declining to file this case in Superior Court for the following reason:

- ☐ A. Case is being returned for filing in municipal or district court.  
☐ B. Case is being declined for non-evidentiary reasons.  
☐ C. Case is being returned because it is legally insufficient.

## Reasons:

Self it happened more than 1 x - to account  
for inconsistent explanations, I'd  
expect exagilation at some point  
being described.

In sum, I think a case with a  
five year old and absolutely  
nothing else is viable if  
there is no significant problem  
with what the five year old  
says. Here, there are several  
problems. Although I believe  
child was clearly abused,  
and probably by the defendant,  
the case is unwinable even  
assuming you can get the child  
to talk.

Was interview? yes no

Was notified on \_\_\_\_\_

Proposed by:

Date:

Approved by:

Date:

King County Prosecuting Attorney's Office

DECLINE

(Original to file; copy to detective; Chief, Criminal Division)

00000229

Spencer000118

Spencer005900

CLARK COUNTY SHERIFF'S OFFICE, WASHINGTON  
UTILITY REPORTCASE #04-0506  
SUPPLEMENTAL RPT

STATUTORY RAPE, 1ST DEGREE, RCW 9A.44.070

LOCATION OF INCIDENT: 17681 NE Lucia Falls Road, Yacolt, Washington

DATE OF INCIDENT: Between 07-14-84 and 08-26-84

DATE & TIME: 10-18-84 2100 hours  
 LOCATION: Holiday Inn, Room #133  
 5321 Date Avenue  
 Sacramento, California 95841-2597  
 INCIDENT: Witness Interviewed

PERSON INTERVIEWED: SPENCER, Dianne Sue dob: 02-04-50  
 3930 Sacarra Way  
 Sacramento, California phone: (916) 482-6057  
 Work phone: (916) 920-0256, Ext. 1134

VICTIM: SPENCER, Kathryn E. dob: 01-13-79  
 3930 Sacarra Way  
 Sacramento, California phone: (916) 482-6057

SUSPECT: SPENCER, Clyde Ray dob: 01-09-48  
 aka: Ray SPENCER  
 17681 NE Lucia Falls Road  
 Yacolt, Washington phone: (206) 687-2407  
 Work phone: (206) 696-8292

CCSO Case #04-0506 B.A.KRAUSE/K-43

page 1 of 22



Spencer-00501

DATE & TIME: 11-01-84 10:42 AM  
INCIDENT: Contact with Ray SPENCER  
at the Clark County Sheriff's Office

During the week of October 15th I was in Sacramento, California continuing the investigation regarding the allegations that Kathryn SPENCER was making. On the morning of 11-01-84 Detective Sgt. DAVIDSON made phone contact with Ray SPENCER and asked if he would respond to the Sheriff's

CCSO Case 884-0596, B.A. KRAUSE, K-43

page 7 of 12

Spencer-00537

As I entered the room Ray SPENCER was indicating he was upset with the Sheriff's Office because of how we had handled the investigation, commenting on the length of time it had taken and also how we had dealt with the city and the "over all delays." Sgt. DAVIDSON and I tried to explain to him that it seemed futile on our part to respond to Sacramento initially when everyone including his daughter's therapist felt it would not be in the child's best interest for us to come to Sacramento.

CLARK COUNTY SHERIFF'S OFFICE, WASHINGTON  
UTILITY REPORT

CASE #84-8506  
SUPPLEMENTAL RPT

STATUTORY RAPE IN THE FIRST DEGREE; RCW 9A.44.070

LOCATION OF INCIDENT:

DATE OF INCIDENT:

DATE & TIME: 10-18-84 2030 hours

LOCATION: Holiday Inn, Room #139  
5321 Date Street  
Sacramento, California 95841-2577

INCIDENT: Interview with Victim

VICTIM: SPENCER, Kathryn E. dob: 01-13-79  
aka: Katie  
aka: Kathy  
3930 Rocarra Way  
Sacramento, California 95821 phone: (916) 482-6057

SUSPECT: SPENCER, Clyde Ray dob: 01-09-48  
aka: Ray SPENCER  
17601 NE Lucia Falls Road  
Yacolt, Washington phone: 487-1407  
Work phone: (206) 496-8272

CCSO Case #84-8506, S.A. KRAMER, K-34

page 1 of 12



Spencer-00461

On the afternoon of 12-17-84 I accompanied Katie and her mother, Deanna SPENCER, to a therapy session. Regarding that session refer to additional utility report.

After Katie and I finished the sundae, with her agreeing to do so, we proceeded to the Holiday Inn where I was staying. During the time I was driving to the Holiday Inn from the ball field, Katie appeared to be open about what we were going to talk about and did not appear to be reluctant in any way to go with me. At one point during the time I was driving Katie commented on the time we had spent on the previous day with Ann LINK who is Katie's therapist. Katie stated to me, "Ann still loves me and is proud of me because it's not MY fault that happened, is it?" I assured her that it was

not her fault. Katie stated to me, "I just didn't want to have to say those words to Ann but maybe I can tell her later when I tell her a story." (The therapist, Ann LINK, uses play therapy with Katie during the one hour sessions.)

CLARK COUNTY SHERIFF'S OFFICE, WASHINGTON  
UTILITY REPORTCASE #84-8504  
SUPPLEMENTAL RPT

1ST DEGREE STATUTORY RAPE, RCW 9A.44.070

LOCATION OF INCIDENT: 17601 NE Lucia Falls Road  
Yacolt, Washington

DATE OF INCIDENT: Refer to Summary

DATE &amp; TIME: 03-21-85 10:30 AM

LOCATION: CCSO, Investigation Unit

INCIDENT: Interview with Victim

VICTIM:	HANSEN, Matthew Allen	Dob: 02-28-88
	17601 NE Lucia Falls Road	
	Yacolt, Washington	phone: 667-2407

SUSPECT:	SPENCER, Clyde Ray	Dob: 01-09-48
	aka: Ray SPENCER	
	17601 NE Lucia Falls Road	
	Yacolt, Washington	phone: 667-2407



When Matt HANSEN advised me that he had observed both  
Kathryn and Matt SPENCER being victimized by their father, I immediately advised  
Deanne SPENCER by telephone. Deanne SPENCER related to me that she, in turn,  
advised the children's therapists. I also have had phone conversation on  
occasion with both the therapists and provided them with any information I had  
that may assist them in dealing with the SPENCER children.

CLARK COUNTY SHERIFF'S OFFICE, WASHINGTON  
UTILITY REPORT

CASE #04-8506  
SUPPLEMENTAL RPT

1ST DEGREE STATUTORY RAPE, RCW 9A.44.070  
LOCATION OF INCIDENT: 17601 NE Lucia Falls Road  
Yacolt, Washington  
DATE OF INCIDENT: Refer to Summary

DATE & TIME: 03-25-05 1315 hours  
LOCATION: CCSO, Investigation Unit  
INCIDENT: Interview with Victim

VICTIM: SPENCER, Kathryn E. dob: 01-13-79  
aka: Kathy  
aka: Katie  
3930 Beterra Way  
Sacramento, California phone: (916) 482-6057

SUSPECT: SPENCER, Clyde Ray dob: 01-09-48  
aka: Ray SPENCER  
17601 NE Lucia Falls Road  
Yacolt, Washington phone: 687-1407

ATTACHED: Copy of a cartoon drawing used during my conversation  
with the above listed victim regarding what she called  
specific parts of her body

CCSO Case #04-8506; S.A. KRAUSE, K-43

page 1 of 6



Spencer001082

I asked Katie if she would like me to call her therapist in Sacramento and tell her what we had talked about and she appeared to be eager for me to do that.

CCBD Case 104-0506, S.A. KRAUSE, K-43.

page 5 of 6

Spencer001008

May 23, 1985

SENTENCING

MR. PETERS:

46



Spencer-01094

1  
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3  
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5  
6  
7 The therapist in the reports and the mothers report  
8 that the therapists are saying that it's going to be a long-  
9 term process of therapy for these children before they're  
10 healthy, and the reason for that is the ongoing sexual abuse.

11 Mr. Rulli and I, when we were in Sacramento, talked to  
12 the therapists of Matthew Spencer and Kathryn Spencer, and  
13 they indicated that the children were experiencing substantial  
14 psychological and behavioral problems of the type typically  
15 seen in victims of sexual abuse. There is no telling how  
16 long these children will be having these problems. Perhaps  
17 for the rest of their lives. But it's likely, of course,  
18 that it would not have happened had it not been for the  
19 inappropriate behavior of Mr. Spencer.  
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MR. RULLIX: Your Honor, in

1 response to Mr. Peters' comments when I interviewed -- Sat  
2 in on the interview with the children in the therapist's  
3 office, I got the impression from the therapist that the  
4 children were coming along. That they were being more open  
5 about this and as they open and discuss it more that they  
6 were feeling better about the whole situation. I think both  
7 therapists for the children in California indicated that.  
8 I haven't had an opportunity to talk only to the therapist  
9 in Vancouver regarding Matthew Hansen, and regarding  
10 Matthew Spencer and Kathryn Spencer. That's the impression  
11 they gave when I interviewed them, Your Honor.  
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**WASHINGTON STATE CHILD ABUSE  
REPORTING LAWS:**

***Summary of Legislative Changes  
1965 - 1996***

***Sharon Sllas***

***with***

***Roxanne Lieb***

***October 1996***

**WASHINGTON STATE CHILD ABUSE REPORTING LAWS:**  
*Summary of Legislative Changes*

YEAR	DEFINED IN STATUTE	WHO REPORTS ABUSE	MAY OR SHALL REPORT	TO WHOM THEY REPORT	TIMING AND PROCEDURES	MISCELLANEOUS
1965 Chapter 13	<ul style="list-style-type: none"> <li>• Court means Superior Court of WA, Juvenile Department.</li> <li>• Practitioner means a person licensed in the state to practice chiropody, chiropractic, dentistry, osteopathy, and surgery, or medicine and surgery.</li> <li>• Institution means a private or public hospital or any other facility providing medical diagnosis, treatment or care.</li> </ul>	Practitioner Report when: cause to believe physical injury inflicted upon person (other than accidental) physical neglect, sexual abuse.	MAY	<ul style="list-style-type: none"> <li>• Proper law enforcement person.</li> <li>• Person in charge of the institution where they are working.</li> </ul>	An immediate oral report may be made by telephone or otherwise and may be followed by a written report.	
1969 RCW 26.44.010 through 26.44.050	<ul style="list-style-type: none"> <li>• Practitioner expanded to include Christian Science Practitioner.</li> <li>• Department means State Department of Public Assistance.</li> <li>• Child means anyone under the age of 18, also any mentally retarded person regardless of age.</li> <li>• Professional School Personnel includes, but is not limited to teachers, counselors, administrators and school nurses.</li> <li>• Social Worker shall mean anyone engaged in encouraging or promoting the health or welfare or support or education of children under the age of 18, whether in an individual capacity, or as an employee or agent of any public or private organization or institution.</li> <li>• Psychologist includes any person licensed to practice psychology, whether acting as an individual capacity or as an employee or agent of any public or private organization or institution.</li> <li>• Pharmacist is any registered pharmacist.</li> <li>• Clergyman shall mean any regularly licensed or ordained minister or agent of any church or religion.</li> <li>• Death of a child, other than accidental, is included in the definition of reasonable cause to report abuse.</li> </ul>	Practitioner, professional school personnel, registered nurse, social worker, psychologist, pharmacist, clergyman, or an employee of the department. Report when: reasonable cause to believe a child has died, physical injury (other than accidental) or suffering physical, sexual abuse or neglect.	MAY	<ul style="list-style-type: none"> <li>• Proper law enforcement or department.</li> <li>• Person in charge of the institution, organization, school or department.</li> </ul>		<p>INVESTIGATION: It is the duty of law enforcement agency or department to investigate and provide child welfare services and when necessary to refer such report to court.</p> <p>RECORDS: Department shall maintain a central registry of reported cases of child abuse. Records are confidential and privileged and not available to any person or agency except law enforcement agencies.</p>